

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION**

Cleatte Huskey,)
Plaintiff,) Civil Action No.: 5:17-cv-00797-JMC
v.)
Nancy A. Berryhill, Acting Commissioner)
of Social Security Administration,)
Defendant.)

)

ORDER

This matter is before the court upon motion of the Plaintiff, through her attorney, Paul T. McChesney (“Counsel”), for an award of \$2,437.50 in attorney’s fees and \$20.01 in expenses under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412, filed on January 4, 2018. (ECF No. 25.) In a Response filed on January 18, 2018, Defendant notified the court that she does not oppose Plaintiff’s request for \$2,437.50 in attorney’s fees and \$20.01 in expenses. (ECF No. 26.) The court has reviewed Plaintiff’s Motion and Defendant’s Response and finds Counsel’s request for fees reasonable.

In accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010), EAJA fees awarded by this court belong to the litigant and are subject to the Treasury Offset Program. 31 U.S.C. § 3716(c)(3)(B) (2006). Therefore, the court directs that fees be payable to Plaintiff and delivered to Plaintiff’s Counsel. The amount of attorney’s fees payable to Counsel will be the balance of stipulated attorney’s fees remaining after subtracting the amount of Plaintiff’s outstanding federal debt. If Plaintiff’s outstanding federal debt exceeds the amount of attorney’s fees under the stipulation, the stipulated amount will be used to offset Plaintiff’s federal debt and no attorney’s fees shall be paid. (See ECF No. 26.)

For the reasons set forth herein, after a thorough review of Plaintiff's Motion (ECF No. 25) and Defendant's Response (ECF No. 26), the court **GRANTS** Plaintiff's Motion for Attorney's Fees (ECF No. 25), and **AWARDS** Plaintiff \$2,437.50 in attorney's fees and \$20.01 in expenses.

IT IS SO ORDERED.



United States District Judge

May 24, 2018
Columbia, South Carolina